

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION, a)	Case No. 16-cv-1054 (WMW/DTS)
Delaware corporation,)	
)	
Plaintiff,)	
)	
v.)	
)	
FEDERAL INSURANCE COMPANY,)	
an Indiana corporation, and ACE)	
AMERICAN INSURANCE)	
COMPANY, a Pennsylvania)	
corporation,)	
)	
Defendants.)	

**PLAINTIFF FAIR ISAAC CORPORATION’S MOTION TO STRIKE
DEFENDANTS’ UNTIMELY DISCLOSED WITNESSES**

Pursuant to Rules 26 and 37 of the Federal Rules of Civil Procedure and Local Rules 7.1 and 37.1, Plaintiff Fair Isaac Corporation (“FICO”) moves to strike Defendants’ Federal Insurance Company and ACE American Insurance Company (collectively “Federal”) untimely disclosed witnesses and for an order precluding Defendants’ from using any of the untimely disclosed witnesses to supply evidence on a motion, at a hearing, or at a trial. This Motion is supported by an accompanying Memorandum of Law to be filed in compliance with Local Rule 7.1, the Declaration of Heather Kliebenstein and Exhibits attached to the Kliebenstein Declaration, the papers and records on file herein, and on such information and evidence as may be presented at any hearing on this Motion.

Dated: April 5, 2019

MERCHANT & GOULD P.C.

/s/Heather Kliebenstein

Allen Hinderaker, MN Bar # 45787

Heather Kliebenstein, MN Bar # 337419

Michael A. Erbele, MN Bar # 393635

MERCHANT & GOULD P.C.

3200 IDS Center

80 South Eighth Street

Minneapolis, MN 55402-2215

Tel: (612) 332-5300

Fax: (612) 332-9081

ahinderaker@merchantgould.com

hkliebenstein@merchantgould.com

merbele@merchantgould.com

Attorneys for Plaintiff FICO